

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No.69888

Charles Gelso
Cami J. Gelso

14 Tree Farm Court

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on November 24, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-310, 312; Baltimore County Zoning Regulations (BCZR) section 101, 102.1, 1A07, failure to cease open dump conditions (open dump conditions exist, exist for rat harborage) on residential property zoned RC 6 known as 14 Tree Farm Court, 21057.

On November 3, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Keith Parker issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on October 2, 2009 for removal of open dump/junk yard, removal of trash and debris, remove accumulations of debris. This Citation was issued on November 3, 2009.

B. Photographs in the file show a large quantity of discarded household items strewn in the driveway and yard of this residence, including multiple chairs, bookcases and other discarded furniture, lamps, a vacuum, bagged garbage, sports equipment, old paint cans, lumber, boxes, and other junk and debris. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats. Court records show this property is in foreclosure proceedings. Notes in the file indicate that the house is vacant.

C. Review of the file shows that a Correction Notice was previously issued on March 9, 2009 for removal of open dump/junk yard and removal of trash and debris; photographs show large piles of junk and debris, discarded household items, and construction debris in the driveway. Those violations were corrected and the property cleaned up prior to the March 24, 2009 compliance deadline, and no Citation was issued.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if the violations are corrected by December 14, 2009.

IT IS FURTHER ORDERED that at any time after the date of this Final Order, the County may enter the property for the purpose of removing all junk, trash, and debris from the premises, at Respondent's expense.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 2nd day of December 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer